

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Ronnie Broadwater

Docket No. 7:05-CR-66-1D

Petition for Action on Supervised Release

COMES NOW Erik J. Graf, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ronnie Broadwater, who, upon an earlier plea of guilty to Distribution of Cocaine Base (Crack), in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable James C. Dever III, U.S. District Judge, on December 6, 2005, to the custody of the Bureau of Prisons for a term of 151 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Broadwater was released from custody on July 1, 2016, at which time the term of supervised release commenced.

On July 25, 2017, the court modified Broadwater's conditions to include that he participate in mandatory substance abuse treatment and participate in the DROPS program in response to his admission to using marijuana and his positive urine screen on July 5, 2017.

On March 19, 2018, the court modified Broadwater's conditions to include that he participate in 60 days location monitoring in response to attempting to submit a false sample on a urinalysis test and serve a 2-day DROPS sanction and submit to individual substance abuse treatment in response to incurring a positive urinalysis result for marijuana.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On January 30, 2019, Broadwater was summoned to the probation office to provide an unscheduled and random urine sample. This request was predicated on the fact that Broadwater has a history of substance abuse with marijuana and the officer being aware that the offender has admitted in the past that he has tried to calculate when he may be tested in an effort to use marijuana but cleanse his system in time to not be detected on a drug test.

Broadwater reported as scheduled and immediately admitted to using marijuana the previous day. Broadwater signed an admission form and stated he was willing to participate in any treatment program and submit to any punishment felt necessary by the probation officer. The supervising officer and offender engaged in cognitive behavioral techniques in an attempt to identify his drug use patterns and triggers and agree upon deterrent behaviors so as to avoid future use of marijuana.

As the offender has 5 months of supervision remaining on a 3-year term of supervision, is 67 years of age and retired, and has yet to participate in the Intensive Outpatient Treatment (IOP) program provided by a local treatment provider, it is recommended that in lieu of a DROPS sanction, Broadwater remain on supervision, be returned to the Surprise Urinalysis Program (SUP), be referred to IOP, and be required to complete 24 hours of community service.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and, if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Erik J. Graf
Erik J. Graf
U.S. Probation Officer
414 Chestnut Street, Suite 102
Wilmington, NC 28401
Phone: 910-679-2031
Executed On: February 1, 2019

ORDER OF THE COURT

Considered and ordered this 4 day of February, 2019, and ordered filed and made
a part of the records in the above case.

James C. Dever III
James C. Dever III
U.S. District Judge